

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

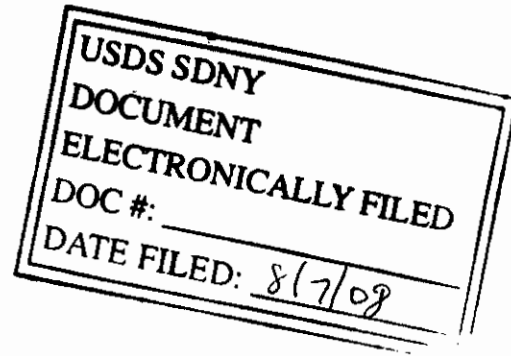
RAMON BERRIOS, *et al.*,

Plaintiffs,

-v-

DYNAMEX, INC., *et al.*,

Defendants.



No. 07 Civ. 9293 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

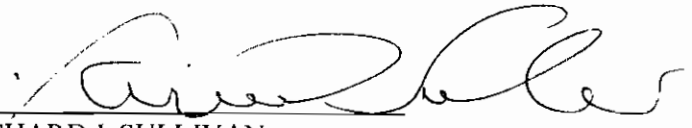
By letter dated August 3, 2008, the parties jointly request an extension of the August 5, 2008 deadline for completion of depositions set forth in the Case Management Plan and Scheduling Order adopted by the Court on February 6, 2008 (the "CMP"). Specifically, the parties seek to adjourn the deposition deadline to October 10, 2008. In the letter, the parties indicate that, as of August 3, they have completed one deposition and "hope to schedule" the remaining depositions for sometime "this week." The parties also indicate that they "have identified certain discovery issues" but that, until they have additional meetings with one another, they will not know whether these matters "require the Court's assistance . . . ."

IT IS HEREBY ORDERED that the parties' request for an adjournment of the deposition deadline is DENIED. The parties have failed to offer a satisfactory explanation for their inability to comply with the directives contained in the CMP, or for their failure to submit their request for an extension at an earlier time. Indeed, the Court did not receive the parties' letter until August 5, 2008 — the date of the deposition deadline. Furthermore, since this Court adopted the CMP on February 6, 2008, it has not received any notice from the parties regarding the course of discovery or their anticipated need for an extension of the discovery schedule.

IT IS FURTHER ORDERED that the parties shall participate in a telephone conference regarding the discovery schedule in this case on August 11, 2008, at 4:45 pm. At that time, counsel for plaintiffs shall initiate the call and contact chambers at (212) 805-0264 with counsel for all parties on the line.

SO ORDERED.

DATED: New York, New York  
August 6, 2008

  
\_\_\_\_\_  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE